IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

HON'BLE Mr. JUSTICE R. SUBHASH REDDY

Writ Petition No.15837 OF 2007

Dated: August 21, 2007

Between:

V. Vijay Bhaskar, S/o. V.B.K. Rao, aged about 20 years,
Occ: Student of MVSR Engineering College,
R/o. Flat No.303, Gayatri Nilayam Apartment,
Vikas Nagar, Dilsukhnagar, Hyderabad.

… Petitioner

And

Osmania University, represented by its
Registrar, Hyderabad, and another.

… Respondents

Order:

Petitioner, a student of Engineering, has filed this writ petition seeking Mandamus to declare the action of the respondents in not permitting him to attend classes of 1st semester of III year Bachelor of Engineering (Mechanical) course as arbitrary and illegal.

2. I have heard learned counsel for the petitioner and Mr. Deepak

Bhattacharjee, learned Standing Counsel appearing for the first respondent.

3. Petitioner was admitted in the second respondent-college into Bachelor of Engineering (Mechanical) course during the academic year 2004-05. His grievance is that though he has passed requisite number of subjects in the I year, 2nd and 3rd semesters of II year together, respondents are not permitting him to attend classes of 1st semester of III year without any valid reason.

4. Learned Standing Counsel, after obtaining written instructions, submits that petitioner was admitted into the aforementioned course during the academic year 2004-05 and appeared for I year examinations in April/May 2005 and out of 12 subjects he has written, he could pass only in 7 subjects – there were 5 backlogs. It is stated that in the examinations of 1st semester of II year, out of 8 subjects, he could pass only in 4 subjects – he had 4 backlogs and similarly in the examinations of 2nd semester of II year, out of 8 subjects, he could pass only in subject – he had 7 backlogs. In all, petitioner had 16 backlogs by the end of 2nd semester of II year. Learned Standing Counsel further submits that as per the Rules of promotion in Bachelor of Engineering course, a candidate who has more than eight backlogs by the end of II year, he/she is not eligible to be promoted to III year.

5. It is to be seen that as per the academic regulations framed by the university regarding promotion of candidates of Bachelor of Engineering course to subsequent years, a candidate who has more than eight backlog subjects by the end of II year is not eligible to be promoted to III year. Undisputedly, by the end of 2nd semester of II year, petitioner was having 16 backlogs, which made him ineligible

to be promoted to the next year. In that backdrop, petitioner cannot seek direction to permit him to attend classes of III year. Hence, no direction as sought for can be issued.

6. The writ petition is devoid of merits and is thus dismissed. No order as to costs.

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JUSTICE R. SUBHASH REDDY.

August 21, 2007
MRR